

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

TRUIST BANK, formerly known as Branch  
Banking and Trust Company,

Plaintiff,

v.

4420 NORTH FAIRFAX LLC  
1101 30<sup>th</sup> Street NW, Suite 210  
Washington, D.C. 20007

Serve on:

CT Corporation System, Resident Agent  
4701 Cox Road, Suite 285  
Glen Allen, Virginia 23060

AND

PETER C. MINSHALL  
3424 P Street  
Washington, D.C. 20007

Defendants.

Civil Action No. 24-00282

**COMPLAINT**

Plaintiff Truist Bank, formerly known as Branch Banking and Trust Company (“Truist”), by its undersigned counsel Ballard Spahr LLP, hereby sues defendants 4420 North Fairfax LLC and Peter C. Minshall and for causes of action states:

**PARTIES, JURISDICTION, AND VENUE**

1. Truist Bank, formerly known as Branch Banking and Trust Company, is a national banking association with its main office in North Carolina.

2. 4420 North Fairfax LLC (“Fairfax”) is a limited liability company organized under the laws of the Commonwealth of Virginia with its principal office located at 1101 30<sup>th</sup>

Street NW, Suite 210, Washington, D.C. 20007. Upon information and belief, no member of Fairfax is a citizen of North Carolina.

3. Upon information and belief, Peter C. Minshall (“Peter”) (Fairfax and Peter collectively referred to as “Defendants”) is a citizen of the District of Columbia who resides at 3424 P Street, Washington, DC 20007.

4. The Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332 because Truist is a citizen of North Carolina and neither defendant is a citizen of North Carolina.

5. The amount in controversy exceeds \$75,000 because this case arises from a note in the amount of \$5,678,000.00 and because Truist has suffered damages of at least \$2,896,933.60.

5. The Court has personal jurisdiction over Defendants because they transact business in Virginia, they consented to the jurisdiction of this Court under the terms of the Note as defined below, and because Fairfax is organized under Virginia law.

6. Venue is proper in the Alexandria Division of the Eastern District of Virginia because a substantial part of the events or omissions giving rise to Truist’s claims occurred there.

**COUNT I**  
**(Breach of Promissory Note)**

7. The allegations set forth in the foregoing paragraphs are incorporated by reference in this Count as if fully set forth herein.

8. On June 30, 2015, Defendants executed a Promissory Note (“Note”), in favor of Truist in the amount of Five Million Six Hundred Seventy-Eight Thousand and No/100 Dollars (\$5,678,000.00), as modified and amended. A true and accurate copy of the Note is attached hereto as **Exhibit 1** and is incorporated by reference herein.

9. The Defendants are in default under the terms of the Note for, *inter alia*, failing to make payments when due and upon the maturity of the Note on November 30, 2022.

10. As a result of the Defendants' default under the Note, Truist has suffered direct pecuniary damages in the amount of at least Two Million Eight Hundred Ninety-Six Thousand Nine Hundred Thirty-Three and 60/100 Dollars (\$2,896,933.60).

11. Pursuant to the Note, Truist is entitled to recover pre-judgment interest at the contractual rate, costs and expenses, and attorney's fees, incurred by Truist to enforce its rights under the Note.

WHEREFORE, Plaintiff Truist Bank, formerly known as Branch Banking and Trust Company respectfully requests that this Court:

A. Enter judgment in favor of Plaintiff Truist Bank, formerly known as Branch Banking and Trust Company and against Defendants, 4420 North Fairfax LLC and Peter C. Minshall, jointly and severally as to Count I of the Complaint in the principal amount of Two Million Three Hundred Eighty-Three Thousand Two Hundred Forty-Five and 90/100 Dollars (\$2,383,245.90), pre-judgment interest in the amount of Four Hundred Eighty-Three Thousand Six Hundred Seven and 70/100 Dollars (\$483,607.70) as of December 12, 2023, plus accrued pre-judgment interest at the per diem rate through the date the judgment is entered, fees in the amount of Two Thousand Six Hundred and 00/100 Dollars (\$2,600.00), attorneys' fees of Twenty Seven Thousand Four Hundred Eighty and 00/100 Dollars (\$27,480.00), and post-judgment interest at the legal rate.

B. Grant Plaintiff Truist Bank, formerly known as Branch Banking and Trust Company such other relief as may be appropriate.

Dated: February 23, 2024

Respectfully submitted,

/s/ John D. Sadler

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Matthew D. Lamb VSB# 95669

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